

REMARKS

Claims 9-12 remain pending. Claims 9, 11, and 12 are currently amended. No claims are canceled or added via the present submission.

The disclosure stands objected to due to a recitation on page 12. As shown above, applicant amends page 12 to change that recitation. Accordingly, withdrawal of the objection is now solicited.

Claims 9 and 10 stand rejected under 35 U.S.C. § 102(b) as anticipated by Klaschka, DE 37 36 353 A1, or, in the alternative, under 35 U.S.C. § 103(a) as obvious over Adahan, U.S. Patent No. 5,762,480. Applicant respectfully submits that the rejection should now be withdrawn.

Claim 9, as now amended, describes a link press that includes a crank shaft and “restraining link.” Regarding the restraining link, the claim specifies that the element has two ends, one of which is rotationally movably connected to a frame and another of which is connected to a connecting portion of a pivoting link. Further, claim 9 specifies:

a pivoting center of said restraining link and the third connecting portion being arranged at respective opposite sides of said crank shaft.

Claim 10 depends from claim 9, so it also describes this subject matter. Fig. 15 provides exemplary support for this amendment. Note that the pivoting center (at support shaft 12) of restraining link 8 and the third connecting portion (P3) are arranged at opposite sides of crank shaft 3.

The rejection (of a previous version of claims 9 and 10) relies on control connecting rod 12 of Klaschka to teach the “restraining link” recited in claim 9. The Office Action indicates that crankshaft pin 13 anticipates the “pivoting center,” a part of connecting rod 13 near both rod 6 and guide device 14 anticipates the “third connection portion,” and axis 2 anticipates the “crank

shaft.” As seen clearly in Fig. 2, although crankshaft pin 13 and the point designated as the “third connection portion” are approximately on opposite sides of control connecting rod 12, the two elements are not on opposite sides of axis 2 to anticipate claims 9 and 10. Accordingly, Klaschka cannot support an anticipation rejection.

Applicant acknowledges the additional reliance on Adahan. However, no teaching in Adahan is cited that would suggest modifying control connecting rod 12 of Klaschka so that crankshaft pin 13 and the point designated as the “third connection portion” are located on opposite sides of axis 2. Thus, Klaschka and Adahan cannot support an obviousness rejection.

Therefore, applicant now solicits the withdrawal of the rejection of claims 9 and 10.

Applicant appreciates the indication that claims 11 and 12 would be allowable if rewritten in independent form. Applicant rewrites claims 11 and 12 accordingly, as shown above. (Applicant does not amend the subject matter originally recited in claim 9 by replacing “respective” with “opposite.”)

Applicant notes the term “bent portion” recited in claims 11 and 12 and in the Examiner’s reasons for allowance. Applicant acknowledges that some dictionaries define “bent” as “altered from an originally straight condition,” and some dictionaries define the term as “not straight; curved or having a bend.” Applicant also notes, regarding this element, that the specification discloses the following on page 31, lines 4-8:

The restraining link 8 is shaped to have the bent portion 8a bent upward to avoid interference with the pivoting link 5. As a result, the compact link mechanism 1 with the above arrangement can be implemented without any interference with the pivoting link 5.

Accordingly, it is appropriate to interpret the term “bent” as “not straight; curved or having a bend” as opposed to “altered from an originally straight condition.” Courts are presently

directed to place greater emphasis on the specification than on dictionaries regarding this aspect of claim construction. The specification does not state or imply any requirement of forming the bent portion by altering an element from an originally straight condition.

In view of the remarks above, applicant now submits that the application is in condition for allowance. Accordingly, a Notice of Allowability is hereby requested. If for any reason it is believed that this application is not now in condition for allowance, the Examiner is welcome to contact applicant's undersigned attorney at the telephone number indicated below to discuss resolution of the remaining issues.

If this paper is not timely filed, applicant petitions for an extension of time. The fee for the extension, and any other fees that may be due, may be debited from Deposit Account No. 50-2866.

Respectfully submitted,
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